

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION(ST)NO.6166 OF 2024
WITH
INTERIM APPLICATION(ST)NO.7484 OF 2024
IN
WRIT PETITION(ST)NO.6166 OF 2024

ANJALI
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Namdev S. Khandve

..Petitioner/Applicant

Versus

Authorized Officer

The Muslim Co-op Bank Ltd, Pune

..Respondent

Mr.Ronak Shah, with *Mr.Jay Mehta i/b Ronak Shah Co,*
Advocates for the Petitioner/Applicant.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : MARCH 11, 2024

P.C.

Mentioned. Not on Board. At the request of the
Petitioner taken on Board.

2 In the above Writ Petition, what is challenged is the
order passed by the learned Presiding Officer dated 16th February,
2024. The learned counsel appearing on behalf of the Petitioner
fairly submitted that the Petitioner has an alternate remedy under
Section 18 of the SARFAESI Act, 2002 to challenge the order

passed by the learned Presiding Officer. He, therefore, sought leave to withdraw the above Writ Petition.

3 In view of the aforesaid circumstances, the above Writ Petition is dismissed as withdrawn with liberty to approach the DRAT under Section 18 of the SARFAESI Act, 2002.

4 We make it clear that we have not opined on the merits of the matter one way or the other and the same shall be decided by the DRAT, if approached by the Petitioner.

5 In view of the disposal of the above Writ Petition, nothing survives in the above Interim Application and the same is disposed of accordingly.

6 This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]